REMARKS

This amendment is responsive to the Office Action mailed on June 21, 2004. Applicant has amended claims 26-36, 45-53, 56-59 and canceled claims 1-25, 37-44, 54, 55, 60, 61. As such, claims 26-36, 45-53, and 56-59 are pending. The Applicant respectfully requests reconsideration of the present application and the allowance of claims 26-36, 45-53, and 56-59.

Claim Rejections

Rejections under 35 U.S.C. § 102(e)

Independent claim 26 stands rejected under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,311,069 issued to Havinis et al (hereinafter "Havinis"). Applicants respectfully traverse the rejections.

The present invention generally relates to dynamically controlling the release of protected information, such as presence or location information for a mobile communication device, over a network from the mobile communication device. In certain embodiments, an intermediary processing system (a proxy gateway, for example) is coupled to one or more mobile communication devices over a wireless network and to one or more network entities (origin servers, for example) over a wired network. The intermediary processing system intercepts a request sent from a mobile communication device to a network entity and has the "intelligence" to determine whether protected information associated with the mobile device is needed by the network entity to fulfill the request. If the information is needed, the intermediary processing system communicates with the mobile communication device to cause the mobile communication device to present a graphic user interface, which allows a user of

the mobile communication device to dynamically control release of the protected information. For example, claim 26, as amended, recites:

> 26. (Currently amended) A method of dynamically controlling release of information on a network, the method comprising:
> **intercepting, at an intermediary processing system, a request sent from a mobile communication device to a network entity, the intermediary processing system coupled to the mobile communication device over a wireless network and to the network entity over a wired network;**
> **based on the intercepted request, determining in the intermediary processing system that protected information associated with the mobile communication device is needed by the network entity to fulfill the request;**
> if said information is needed to fulfill the request, communicating with the mobile communication device to cause the mobile communication device to present a **graphic user interface** which allows a user of the mobile communication device to dynamically control release of the protected information; and
> releasing the protected information according to a result of said communicating.
> (Emphasis added).

Havinis does not teach or suggest such a method or a corresponding intermediary processing system. Havinis teaches a Mobile Switching Center (MSC) 14, which is notified that protected information (the location information) associated with a Mobile Station (MS) 20 is needed by a request for such information from a Location Application (LA) 280 (col. 5, lines 27-41; col. 6, line 38 through col. 7, line 9). That is, the MSC 14 is told by the LA 280 that the LA 280 needs the location information associated with the MS 20. MSC 14 then forwards such request to the MS 20 and causes an alerting tone on the MS 20 to notify the user so that the user may make the decision whether to release such information (col. 5, lines 27-41; col. 7, lines 11-39). There is no indication or suggestion in Havinis that the MSC 14 or other subsystems disclosed therein intercepts a request sent from a MS 20 to another network entity (a

service provider, for example) and determines, based on the intercepted request, whether protected information associated with the MS 20 is needed to fulfill the request.

In addition, Havinis also does not disclose or suggest that the MSC 14 or any other intermediary processing system causes the MS 20 to present a graphic user interface for a user to dynamically control the release of private information. In fact, Havinis only discloses that the MS 20 uses alerting tones and function keys on a MS 20, which does not constitute a graphic user interface (col. 3, lines 65-67; col. 6, lines 17-22).

At least for the foregoing reasons, therefore, claim 26 and all claims which depend on it are patentable over Havinis.

Rejections under 35 U.S.C. § 103(a)

Independent claims 45 and 56 stand rejected under 35 U.S.C. § 103(a) based on Havinis in view of U.S. Patent No. 6,687,504, Raith (hereinafter "Raith").

Claim 45, as amended, recites:

45. (Currently amended) A processing system comprising:
a data communication device;
a processor; and
a memory storing instructions executable by the processor to cause the processing system to execute a process comprising:
intercepting a request sent from a mobile communication device to a network entity, the processing system coupled to the mobile communication device over a wireless network and to the network entity over a wired network;
based on the intercepted request, determining that protected information associated with the mobile communication device is needed by the network entity to fulfill the request;
if said information is needed to fulfill the request, communicating with the mobile communication device to cause the mobile communication device to present a **graphic user interface** which allows a user of the mobile communication device to dynamically control release of

the protected information; and

releasing the protected information according to a result of said communicating.

(Emphasis added).

The above emphasized claim language recites an intermediary processing system on a network, which is substantially similar to that discussed above in claim 26. As discussed above, Havinis does not teach such a processing system. Because Raith does not teach such an intermediary processing system, either, the combination of Havinis and Raith fails to disclose or suggest each and every limitation in claim 45.

Raith teaches a mobile device 100 configured to control the release of its location information (Figure 1; col. 2, lines 36-38). A request processor 104 receives requests for the mobile device's location information and determines whether to release such information (col. 2, lines 44-47). The request processor 104, however, is integrated within the mobile device 100 (Figure 1). It is not a processing system, as recited in claim 45, which is coupled to the mobile device 100 over a wireless network and to a network entity over a wired network. In addition, there is no indication or suggestion in Raith that the request processor 104 may intercept a request sent from a mobile device 100 to a network entity (a service provider, for example) and determines, based on the intercepted request, whether the mobile device's location information is needed by the network entity to fulfill the request.

Neither do the cited references disclose or teach an intermediary processing system which causes a mobile device to present a graphic user interface for a user to control the release of private information. At least for the foregoing reasons, the cited references do not disclose or suggest each and every limitation in claim 45; therefore,

claim 45 and all claims which depend on it are patentable over them.

Independent claim 56 includes limitations substantially similar to those discussed above in claim 45 and, therefore, is also patentable along with its dependent claims for similar reasons.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

For the foregoing reasons, claims 26-36, 45-53, and 56-59 are believed to be in condition for allowance, and such action is earnestly requested.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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